

MAY 15 2007

Application No: 09/836,141
Attorney's Docket No: RBT 3001**REMARKS/ARGUMENTS**

Applicant acknowledges receipt of the Office Action dated November 16, 2006. Reconsideration and further examination of claims 1-26 is respectfully requested.

Claims 1-26 are pending in the present application of which claims 1, 2, 3, and 10 are independent. Applicant hereby amends claims 1, 2, 3, and 10.

The Office Action rejects claims 1-26 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Pub. No. 2002/0156661 to Jones et al. (hereinafter "Jones") in view of U.S. Patent Application Pub. No. 2002/0032589 to Shah (hereinafter "Shah"). Applicant respectfully traverses this rejection.

Claims 1, 2, 3, and 10 recite "selecting business rules based on at least two ranked and prioritized categories related to travel preferences." This subject matter relates to selecting rules that define the business logic of the system. For example, if the user assigns a ranking of "5" to the price and arrival/departure time of a flight, the system determines which category is more important for purposes of selecting the business rules. See paragraph [0093]. In one embodiment, the system accesses a prioritized list of categories stored in a hierarchy to determine that lowest price should be the primary category, while arrival/departure time should be the secondary category. Id.

Based on the ranked and prioritized categories, the system then selects a set of business rules which are enforced by the travel request processor to suggest itineraries consistent with the rules. In this example, the selected business rules would specify the logic for recommending the flight where the price is lowest and the arrival/departure time is closest to the requested time and

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date, while also considering other preferences specified by the user including, for example, airline class. See paragraphs [0176]-[0181]. A number of other examples of business rules are presented in the Appendix of the present application.

Applicant respectfully submits that Jones does not disclose, teach, or suggest the above-quoted subject matter. The system of Jones receives input of travel parameters including a destination, location of the time and meeting, and the user's origination site. See paragraph [0039]. Based on the inputted travel parameters, the system of Jones executes a series of steps in which it finds the closest airport, searches the travel database for flights, and presents these alternatives to the user. See paragraphs [0041]-[0044]. Thus, the travel system of Jones simply executes a predetermined, inflexible process utilizing the entered parameters and does not select business rules, as recited in claims 1, 2, 3, and 10.

The constraint relaxation system (CR) of Jones allows a user to consider alternative flights based on a number of relaxed constraints. See paragraphs [0057]-[0058], Figures 8B and 8C. The constraint relaxation system allows a user to change the importance of restraints and then reruns the query. See paragraph [0057]. In other words, the system does not select business rules, but instead re-executes the predetermined series of steps using different parameters. Moreover, the constraints are all of equal importance and are not prioritized. If a user specified that he or she was "completely flexible" for both the alternative departure city and alternative arrival city, the constraint relaxation system would give both constraints equal weight. The constraint relaxation system of Jones therefore does not "select business rules based on at least two ranked and prioritized categories."

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Accordingly, Applicant respectfully submits that Jones fails to disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences," as recited in claims 1, 2, 3, and 10.

Applicant respectfully submits that Shah also does not disclose, teach, or suggest the above-quoted subject matter. The PIM application of Shah determines whether airline, hotel, car rental, and restaurant reservations need to be made based on an appointment time and place. See paragraph [0051]. If the user wants to make a hotel reservation, for example, the PIM application will obtain a hotel chain preference, a smoking preference, a location range field, and a payment type field from the user or a personal information database. See paragraph [0068]. Based on this information, the PIM application searches for applicable hotel reservations. *Id.* The Shah application simply obtains preferences from the user regarding a reservation and executes a query using that information. In other words, the application does not select business rules based on ranked and prioritized categories.

Accordingly, Applicant respectfully submits that Shah fails to disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences."

At least by virtue of the failure of both Jones and Shah to disclose, teach, or suggest the above quoted subject matter according to the combinations recited in claims 1, 2, 3, and 10, Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness as required under 35 U.S.C. § 103.

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Claims 4-9 depend from allowable claim 3 and are also allowable over Jones and Shah at least by virtue of their dependencies. Claims 11-26 depend from allowable claim 10 and are also allowable over Jones and Shah at least by virtue of their dependencies.

For at least the forgoing reasons, Applicant respectfully requests that the rejection of claims 1-26 under 35 U.S.C. § 103 be withdrawn.

The Office Action also rejects claims 1-26 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jones in view of "I-tinerary.com to Create First Travel Itinerary Site for Mobile Device Users" (hereinafter "I-tinerary"). Applicant respectfully traverses this rejection. As discussed above, Jones does not disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences," as recited in claims 1, 2, 3, and 10.

Applicant respectfully submits that I-tinerary also does not disclose, teach, or suggest the above-quoted subject matter. The I-tinerary reference provides a broad, general disclosure of a system that automates the travel process using intelligent booking and traveler preferences. See paragraph [3]. However, I-tinerary does not describe any specifics regarding the process for applying travel preferences to make reservations. The I-tinerary reference therefore does not provide an enabling disclosure with respect to the above-quoted subject matter and thus fails to disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences."

At least by virtue of the failure of both Jones and I-tinerary to disclose, teach, or suggest the above quoted subject matter according to the combinations recited in claims 1, 2, 3, and 10,

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Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness as required under 35 U.S.C. § 103.

Claims 4-9 depend from allowable claim 3 and are also allowable over Jones and I-tinerary at least by virtue of their dependencies. Claims 11-26 depend from allowable claim 10 and are also allowable over Jones and I-tinerary at least by virtue of their dependencies.

For at least the forgoing reasons, Applicant respectfully requests that the rejection of claims 1-26 under 35 U.S.C. § 103 be withdrawn.

The Office Action also rejects claims 1-26 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jones in view of "Galileo International Announces Corporate Travelpoint 2.0" (hereinafter "Travelpoint"). Applicant respectfully traverses this rejection. As discussed above, Jones does not disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences," as recited in claims 1, 2, 3, and 10.

Applicant respectfully submits that Travelpoint also does not disclose, teach, or suggest the above-quoted subject matter. The Travelpoint reference provides a broad, general disclosure of a system that allows travelers to modify itineraries based on the travelers' preferences. See paragraphs [8]-[9]. However, Travelpoint does not describe any specifics regarding the process for modification of a travel itinerary. The Travelpoint reference therefore does not provide an enabling disclosure with respect to the above-quoted subject matter and thus fails to disclose, teach, or suggest "selecting business rules based on at least two ranked and prioritized categories related to travel preferences."

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At least by virtue of the failure of both Jones and Travelpoint to disclose, teach, or suggest the above quoted subject matter according to the combinations recited in claims 1, 2, 3, and 10, Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness as required under 35 U.S.C. § 103.

Claims 4-9 depend from allowable claim 3 and are also allowable over Jones and Travelpoint at least by virtue of their dependencies. Claims 11-26 depend from allowable claim 10 and are also allowable over Jones and Travelpoint at least by virtue of their dependencies.

For at least the forgoing reasons, Applicant respectfully requests that the rejection of claims 1-26 under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

In view of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

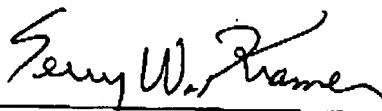
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While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the correspondence attorney listed below in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: May 15, 2007


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